

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CLAY BURGON,
Petitioner,

2:14-cv-01128-RFB-CWH

vs.

ORDER

ATTORNEY GENERAL, *et al.*,
Respondents.

_____ /

In this habeas corpus action, the petitioner, Clay Burgon, filed an amended habeas petition on April 11, 2017 (ECF No. 36). Respondents filed a motion to dismiss on August 1, 2017 (ECF No. 46). Burgon filed an opposition to the motion to dismiss on December 15, 2017 (ECF No. 54). Respondents' reply was due on January 16, 2018. *See* Order entered May 15, 2017 (ECF No. 42) (30 days for reply).

On January 16, 2018, respondents filed a motion for extension of time (ECF No. 55), requesting a 45-day extension of time, to March 2, 2018. Respondents' counsel states that the extension of time is necessary because an attorney in her unit has retired, and because of her responsibilities in other cases (the Court notes that there are several obvious mistakes in counsel's

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

declaration -- much of it apparently relates to a different case). Petitioner does not oppose the extension of time.

The Court finds that respondents' motion for extension of time is made in good faith and not solely for the purpose of delay, and that there is good cause for the extension of time. The Court will grant this extension of time.

However, given the amount of time that petitioner will have had to file the reply -- about two and a half months -- *the Court will not further extend this deadline.*

IT IS THEREFORE ORDERED that respondents' motion for extension of time (ECF No. 55) is **GRANTED**. Respondents will have until and including **March 2, 2018**, to file a reply in support of their motion to dismiss. In all other respects, the schedule for further proceedings set forth in the order entered May 15, 2017 (ECF No. 42) will remain in effect.

DATED this 18th day of January, 2018.



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE